

12. (Amended) A guitar, comprising:

a body;

a neck connected to the body;

a bridge connected to the body;

a compensated nut connected to the neck, the compensated nut including an elongated body with a length sufficient to extend across at least a portion of the neck of the guitar, the elongated body having a plurality of fixed intonation portions with different dimensions according to the desired pitch of the stringed instrument;

a plurality of strings passing over the bridge and the nut; and

a tuning key attached to each string, the tuning keys adapted and configured to adjust the tension in the plurality of strings.

20. (Amended) A method of making [tuning] an instrument with a plurality of strings, the instrument including a body, a neck and a bridge, comprising:

mounting a nut to the neck of the instrument, the nut including an elongated body with a front side, a back side, a top side, and a bottom side, the body having a length sufficient to extend across at least a portion of the neck of the stringed instrument, the nut including one or more fixed intonation portions on the front side of the elongated body, the intonation portions having different dimensions according to the desired pitch of the stringed instrument;

extending the strings from the bridge to the nut; and

attaching the strings to the bridge and the neck of the instrument.

21. (Amended) A nut for a stringed instrument, comprising:

an elongated body;

a plurality of slots on a surface of the body; and

fixed means for compensating the intonation of one or more strings of the instrument.

22. (Amended) A nut for a stringed instrument, comprising:

a substantially unitary elongated body, the body having a length sufficient to extend across at least a portion of the neck of the stringed instrument;

a plurality of slots across the elongated body configured to position corresponding strings; and

a plurality of fixed string termination points along said elongated body, each termination point corresponding to one of said plurality of slots, at least one of said string termination points offset in distance from another of said termination points with respect to a line perpendicular to said strings.

25. (Amended) A compensated zero fret for a stringed instrument, the stringed instrument having one or more strings, a body and a neck, the zero fret comprising:

an elongated body having a length sufficient to extend across at least a portion of the neck of the stringed instrument; and

one or more fixed intonation portions on the front side of the elongated body, the intonation portions having different dimensions according to the desired pitch compensation for each string.

Please add the following new claim:

29. The compensated nut of Claim 1, wherein the intonation portions comprise a combination of inward cut-out sections and outward projections that extend outwardly from the nut.

#### REMARKS

In the Office Action mailed October 14, 1999, the Examiner rejected Claims 11 and 25-28 under 35 U.S.C. § 112, second paragraph, as being indefinite. The "outwardly extending projections" of Claim 11 refer to projections having different dimensions, such as depth, height or width, that extend outwardly from the nut 42. The projections are described on page 9 of Applicants' specification. Claim 11 has been amended to clarify this aspect of the invention.

Claims 25-28 relate to a compensated zero fret that may be used on stringed instruments with a "zero" fret and separate string guides, as described on page 14 of Applicants' specification. Applicants respectfully request withdrawal of the rejections based on 35 U.S.C. § 112.

#### Response To Rejection Of Claims 1-6, 8, 10-24 Under 35 U.S.C. § 103(a) Based On LoJacono

The Examiner rejected Claims 1-6, 8 and 10-24 under 35 U.S.C. § 103(a) as unpatentable over LoJacono (U.S. Patent No. 5,481,956). LoJacono discloses an adjustable nut means 10 with adjustable nut saddle members 20, as shown in Figures 1-4 of LoJacono. In LoJacono, each